

SENATE BILL 2917
By Norris

AN ACT to amend Tennessee Code Annotated, Title 4,
Chapter 7, relative to the criminal investigation
division within the Tennessee highway patrol.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Title 4, Chapter 7, is amended by adding the
following language as a new part:

§ 4-7-401. There is hereby created the criminal investigation division within the
Tennessee highway patrol.

§ 4-7-402.

(a) The mission of the criminal investigation division, hereinafter referred
to as "CID", shall be to investigate, gather evidence and assist in the prosecution
of criminal offenses involving violations of all laws enforced by the department of
safety and to assist federal, state and local law enforcement.

(b) The CID shall have original jurisdiction to enforce title 55, chapter 5,
relative to automobile anti-theft and fraud prevention, as well as all criminal
matters initiated by the highway patrol or other divisions of the department of
safety including, but not limited to, the investigation of vehicular homicides,
vehicular assaults and traffic crashes involving death or serious bodily injury.

(c) The CID shall also investigate any other crime as requested by a law
enforcement agency or authorized state or federal prosecutor.

§ 4-7-403.

(a) There shall be a director who serves as the departmental head and
reports to the commissioner of safety or his designee. The director shall be

appointed at the discretion of the commissioner and shall come from within the division.

(b) There shall be four (4) special agents in charge, one (1) assigned to every two (2) highway patrol districts. Such special agents in charge shall be selected competitively from within the CID, and shall have served a minimum of five (5) years as an agent and two (2) years as an assistant special agent in charge. Such special agents in charge shall possess an intricate knowledge of the law and its application, departmental policy and regulations, and the ability to manage and lead in difficult, charged environments. The director shall select a candidate from the list of applicants and provide that name to the commissioner of safety for consideration.

(c) There shall be eight (8) assistant special agents in charge, one (1) for each highway patrol district. Such assistant special agents in charge shall report to the regional special agent in charge. Assistant special agents in charge shall be selected competitively from within the division, shall have served a minimum of five (5) years as an agent or served not less than three (3) years as an agent and possess an associate or bachelors degree from an accredited university or college. A board composed of the director, one (1) special agent in charge and three (3) assistant special agents in charge shall consider applicants based on ability, knowledge of the law, ability to lead and manage others, and knowledge of departmental regulations and procedures. The selected applicant's name shall be forwarded to the commissioner of safety for final selection.

(d) The number of CID special agent positions shall be no less than the number of positions in existence on July 1, 2006. It shall be such special agents' responsibility to enforce the law, investigate criminal activity, take statements and

interview suspects, prepare criminal cases for prosecution, and assist other state, federal and local law enforcement agencies. Such special agents shall be selected from the highway patrol and shall have served for five (5) years, or served not less than three (3) years and possess an associate or bachelors degree from an accredited university or college. A board comprised of the director, one (1) special agent in charge, one (1) assistant special agent in charge and two (2) special agents shall interview applicants and select the most qualified, and submit such persons to the commissioner of safety for selection.

(e) There shall be an administrative staff composed of not less than one (1) administrative secretary for each criminal investigation region. The central office of the division shall have a minimum of one (1) administrative secretary, one (1) National Crime Information Center technician, one (1) office manager and one (1) property officer/evidence custodian.

§ 4-7-404. It shall be the duty of the members of the CID of the highway patrol to:

(a) Provide investigative and technical support to the highway patrol in all criminal matters initiated by their actions;

(b) Provide investigative and technical support to the title and registration division of the department of safety;

(c) Provide investigative and technical support to the driver license division of the department of safety;

(d) Conduct overt and covert criminal investigations relating to:

(1) Motor vehicle and motorized vehicle theft;

(2) Stolen motor vehicle and motorized vehicle parts;

(3) Stolen boats, airplanes and parts therefrom;

- (4) Title 55, chapter 5;
- (5) Identity theft laws;
- (6) Odometer fraud;
- (7) Vehicular homicides;
- (8) Vehicular assault;
- (9) Larceny;
- (10) Criminal interdiction program; and
- (11) Insurance fraud.

(e) Provide technical and investigative support to federal, state and local law enforcement agencies;

(f) Provide technical and investigative support to the internal affairs division of the department of safety; and

(g) Investigate any other crime as requested by a law enforcement agency or prosecutor.

§ 4-7-405. The critical incident response team as it is structured on July 1, 2006, shall be a uniform section of the CID.

SECTION 2. The commissioner of safety is authorized to promulgate rules and regulations to effectuate the purposes of this act. All such rules and regulations shall be promulgated in accordance with the provisions of Tennessee Code Annotated, Title 4, Chapter 5.

SECTION 3. This act shall take effect upon becoming a law, the public welfare requiring it.